



Serial No.: 09/738626
Applicant: Nakagawa et al
Title: Novel Polynucleotide
Atty: BJS
Date: 6/29/01
Client: 249-125
Ref:

☒ Amendment
☐ Pages Specification
☐ Claims
☐ Sheets Drawings: Formal _____
Informal _____
☒ Declaration (2 Pages)
☒ Assignment
☐ Priority Document
☐ Base Issue Fee Transmittal
IIISU⁰⁰ Fee (Check)



Other: 2 CD-Rs containing Sequence Listings
Rule 52 Transmittal Letter
Assignment cover sheet



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/738,626	12/18/2000	Satoshi Nakagawa	249-125

CONFIRMATION NO. 2229

FORMALITIES LETTER



OC00000006541297

NIXON & VANDERHYE P.C.
8th Floor
1100 North Glebe Road
Arlington, VA 22201



Date Mailed: 09/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- T Purchase PatentIn Software, call (703) 306-2600

- For Patent Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspt .g v or patin3help@uspt .gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

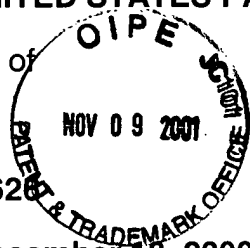
In re Patent Application of

Nakagawa et al.

Serial No. 09/738,626

Filed: Monday, December 18, 2000

For: NOVEL POLYNUCLEOTIDES



Atty. Ref.: 249-125

Group: Unknown

Examiner: Unknown

* * * * *

November 9, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

Responsive to the Notice to File Missing Parts dated September 11, 2001, (copy attached) the applicants respectfully submit the required Declaration was filed June 29, 2001 and a copy of the previously filed Declaration is attached for the convenience and consideration of the Office. A copy of the undersigned's postcard receipt demonstrating receipt of the Declaration in the Patent Office is also attached.

The undersigned is unclear as to what further may be required with regard to the Sequence Listing as a Transmittal Letter was submitted June 29, 2001, pursuant to Rule 52 and Rule 821 with regard to the computer-readable form of the Sequence Listing in a CD format. It is the undersigned's understanding that a separate paper copy of the Sequence Listing is not required however the Office is requested to contact the undersigned if otherwise. The Office will appreciate that the compact disc format was utilized for the Sequence Listing as submission of the paper copy and maintenance of the same in the Patent Office will be a burden on both the applicants and the Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

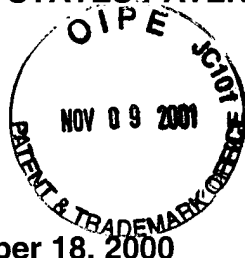
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Serial No. **09/738,626**

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Atty. Ref.: **249-125**

Group: **Unknown**

Examiner: **Unknown**

* * * * *

November 9, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

STATEMENT

The content of the Sequence Listing information recorded in computer-readable form and submitted June 29, 2001 with the Amendment and Transmittal Letter (copies attached) is identical to the "written" compact disc form of the Sequence Listing filed on June 29, 2001. Moreover, the Sequence Listing contains no new matter.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

A handwritten signature in black ink, appearing to be "B. J. Sadoff", written over a horizontal line.

B. J. Sadoff

Reg. No. **36,663**

BJS:eaw

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

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Serial No. **09/738,626**

Filed: **Monday, December 18, 2000**

For: **NOVEL POLYNUCLEOTIDES**



Atty. Ref.: **249-125**

Group: **Unknown**

Examiner: **Unknown**

* * * * *

June 29, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RULE 52 TRANSMITTAL LETTER

Pursuant to Rules 52 and 821, attached are two CD-R discs containing the Sequence Listing in IBM-PC machine format, as a file named "249-125", which is 25,905 KB and was created on June 8, 2001.

The attached CD-R discs are identical.

The specification of the above has been amended by the attached Amendment to up-date the incorporation by reference of the material on the attached compact discs in a separate paragraph identifying each compact disc by the name of the file contained on each of the compact discs, their dates of creation and their sizes in bytes.


The attached discs are labeled as required by Rule 52(e)(6).

Submission of a paper copy of this Sequence Listing contained on the attached discs is not believed required however the Office is requested to advise the undersigned if otherwise.

Nakagawa et al.
Serial No. 09/738,626

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
B. J. Sadoff
Reg. No. 36,663

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